

# **EXHIBIT D-1**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

This document relates to:

*PBM Bellwether Cases*

**MDL No. 2804**

**Case No. 17-md-2804**

**Judge Dan Aaron Polster**

**PLAINTIFFS' JURISDICTIONAL DISCOVERY REQUESTS FOR ANSWERS TO  
INTERROGATORIES TO OPTUM DEFENDANTS**

COMES now the PBM Bellwether Plaintiffs and submit the following discovery requests pursuant to Rule 33 of the Federal Rules of Civil Procedure to Defendants UnitedHealth Group, Inc., Optum, Inc., OptumInsight, Inc., OptumInsight Life Sciences, Inc., OptumRx Discount Card Services, LLC, Optum Perks, LLC, OptumHealth Care Solutions, LLC, OptumHealth Holdings, LLC, and Optum Health Networks, Inc.

**DEFINITIONS**

This section sets forth specific definitions applicable to certain words and terms used herein. Unless words or terms have been given a specific definition in this section or in a specific request, each word or term shall be given its usual and customary dictionary definition, except where a word or term has a specific customary and usage definition in your trade and industry. In that case, the word or term shall be interpreted in accordance with the specific customary and usage definition.

1. “Inter-company” means communications, documents, strategies, or interactions shared between any parent, subsidiary, or sibling company of OptumRx, Inc., UnitedHealth Group, Inc. (“UHG”), Optum, Inc., OptumInsight, Inc., OptumInsight Life Sciences, Inc., OptumRx Discount Card Services, LLC, Optum Perks, LLC, OptumHealth Care Solutions, LLC, OptumHealth Holdings, LLC, and Optum Health Networks, Inc.

2. “Member data” means any personal, health, medical, health-related or other information or data about a member collected by or submitted to OptumRx, Inc., UnitedHealth Group, Inc. (“UHG”), Optum, Inc., OptumInsight, Inc., OptumInsight Life Sciences, Inc., OptumRx Discount Card Services, LLC, Optum Perks, LLC, OptumHealth Care Solutions, LLC, OptumHealth Holdings, LLC, or Optum Health Networks, Inc.

3. “Optum entity” means any parent, subsidiary, or sibling company of UnitedHealth Group, Inc. including but not limited to Optum, Inc., OptumInsight, Inc., OptumInsight Life Sciences, Inc., OptumRx Discount Card Services, LLC, Optum Perks, LLC, OptumHealth Care Solutions, LLC, OptumHealth Holdings, LLC, and Optum Health Networks, Inc and any other entity that is affiliated with the Optum entities and/or UHG that includes “OptumInsight” and/or “OptumHealth” as part of its name.

4. “You” or “Your” means the entities to which these Requests are directed and their officers, directors, employees, partners, representatives, agents, corporate parent, subsidiaries, affiliates, divisions, predecessors, or successors-in-interest, and other persons or entities acting on behalf of or controlled by them.

### **INTERROGATORIES**

1. Identify all individuals who are employed by You and concurrently hold or have held another position at any of Your parent, subsidiary, or sibling companies.

2. Identify all Optum entities' offices, employees, physicians, medical directors, and/or case managers in the bellwether states during the relevant time period and describe any work that these offices/employees engaged in related to opioids.

3. Identify all inter-company work groups, committees, or task forces regarding or including the following:

- i. Inter-company strategies or coordination;
- ii. Opioids or treatment of pain;
- iii. Drug formularies;
- iv. Utilization management;
- v. Rebates and other fees or revenue from manufacturers;
- vi. Use of member data; or
- vii. Clinical studies of prescription drugs, drug marketing, or medical education.

4. Identify all members of the Optum Opioid Task Force<sup>1</sup>, along with the titles of each member, their company affiliation, as well as the timeframe in which the individual served on the task force.

5. Identify all Optum entity offices, employees, physicians, medical directors, and/or case managers in the bellwether states during the relevant time period and describe any work that these office/employees engaged in related to opioids.

Dated: April 17, 2024

Respectfully Submitted,

---

<sup>1</sup> See, e.g., OPTUMRX\_JEFFCO\_0000014386-89 (discussing OptumRx, and other UHG and Optum entities as part of the broader UHG Enterprise initiative to reduce opioid misuse and abuse)

Jayne Conroy  
SIMMONS HANLY CONROY  
112 Madison Avenue, 7<sup>th</sup> Floor  
New York, NY 10016  
(212) 784-6400  
[jconroy@simmonsfirm.com](mailto:jconroy@simmonsfirm.com)

Joseph F. Rice  
MOTLEY RICE  
28 Bridgeside Blvd.  
Mt. Pleasant, SC 29464  
(843) 216-9000  
(843) 216-9290 (Fax)  
[jrice@motleyrice.com](mailto:jrice@motleyrice.com)

Paul T. Farrell, Jr., Esq.  
FARRELL & FULLER LLC  
270 Munoz Rivera Avenue, Suite 201  
San Juan, PR 00918  
(304) 654-8281  
[paul@farrellfuller.com](mailto:paul@farrellfuller.com)

*Plaintiffs' Co-Lead Counsel*

Peter H. Weinberger  
SPANGENBERG SHIBLEY & LIBER  
1001 Lakeside Avenue East, Suite 1700  
Cleveland, OH 44114  
(216) 696-3232  
(216) 696-3924 (Fax)  
[pweinberger@spanglaw.com](mailto:pweinberger@spanglaw.com)

*Plaintiffs' Liaison Counsel*

**Counsel for City of Independence, Missouri:**

/s/ John F. Garvey

STRANCH, JENNINGS & GARVEY, PLLC John F. Garvey

Colleen Garvey

Ellen A. Thomas

Peabody Plaza

701 Market Street, Suite 1510

St. Louis, MO 63101

Tel: (314) 390-6750

jgarvey@stranchlaw.com

cgarvey@stranchlaw.com

ethomas@stranchlaw.com

/s/ Joanne M. Cicala

THE CICALA LAW FIRM PLLC

Joanne M. Cicala

Joshua Wackerly

R. Johan Conrod

Shelbi Flood

101 College Street

Dripping Springs, TX 78620 Tel: (512) 275-6550

Fax: (512) 858-1801

joanne@cicalapllc.com

josh@cicalapllc.com

johan@cicalapllc.com

shelbi@cicalapllc.com

/s/ Daniel A. Thomas

HUMPHREY FARRINGTON MCCLAIN

Daniel A. Thomas

221 W. Lexington Ave. Ste 400

Independence, MO 64050

Tel: (816) 836-5050

DAT@hfmlegal.com

*Counsel for Plaintiff City of Independence, MO*

**Counsel for City of Rochester:**

/s/Hunter J. Shkolnik

Hunter J. Shkolnik

Paul J. Napoli

NSPR Law Services LLC

1302 Avenida Ponce de Leon Santurce, Puerto Rico 00907 (833) 271-4502

hunter@nsprlaw.com

pnapoli@nsprlaw.com

Salvatore C. Badala  
Shayna E. Sacks  
Joseph L. Ciaccio  
Napoli Shkolnik PLLC  
360 Lexington Avenue, 11th Floor New York, NY 10017  
(212) 397-1000  
sbadala@napolilaw.com  
ssacks@napolilaw.com  
jciaccio@napolilaw.com

*Counsel for Plaintiff City of Rochester*

**Counsel for County of Webb, Texas:**

/s/ Joanne M. Cicala  
THE CICALA LAW FIRM PLLC Joanne M. Cicala  
Joshua Wackerly  
R. Johan Conrod  
Shelbi Flood  
101 College Street  
Dripping Springs, TX 78620 Tel: (512) 275-6550  
Fax: (512) 858-1801  
joanne@cicalapllc.com  
josh@cicalapllc.com  
johan@cicalapllc.com  
shelbi@cicalapllc.com

/s/ Kevin Sharp  
SANFORD HEISLER SHARP, LLP Kevin Sharp  
Christine Dunn  
611 Commerce Street, Suite 3100 Nashville, Tennessee 37203  
Tel: (615) 434-7000  
Fax: (615) 434-7020  
ksharp@sanfordheisler.com  
cdunn@sanfordheisler.com

*Counsel for Plaintiff Webb County, TX*

**Counsel for Lincoln County, MO**

/s/ John F. Garvey  
STRANCH, JENNINGS & GARVEY, PLLC John F. Garvey  
Colleen Garvey  
Ellen A. Thomas  
Peabody Plaza  
701 Market Street, Suite 1510  
St. Louis, MO 63101  
Tel: (314) 390-6750

jgarvey@stranchlaw.com  
cgarvey@stranchlaw.com  
ethomas@stranchlaw.com

/s/ Joanne M. Cicala

THE CICALA LAW FIRM PLLC Joanne M. Cicala

Joshua Wackerly

R. Johan Conrod

Shelbi Flood

101 College Street

Dripping Springs, TX 78620 Tel: (512) 275-6550

Fax: (512) 858-1801

joanne@cicalapllc.com

josh@cicalapllc.com

johan@cicalapllc.com

shelbi@cicalapllc.com

/s/ Patrick A. Hamacher

NIEMEYER, GREBEL & KRUSE, LLC Patrick A. Hamacher

Mark R. Niemeyer

211 N. Broadway, Suite 2950

St. Louis, MO 63102

Tel: (314) 241-1919

Fax: (314) 665-3017

hamacher@ngklawfirm.com

Niemeyer@ngklawfirm.com

*Counsel for Plaintiff Lincoln County, MO*